THE EEL RIVER ROAD

People of Logansport Think It Will Now Benefit that City.

Appeal to Be Taken from the Decision Cutting the Line Off the Wabash System-General Railway News.

Citizens of Logansport are much elated over the turn matters have taken in the litigation in the case of the Eel River division of the Wabash. The recent decision, they say, is of great importance to Logansport, they being of the opinion that, operated separately, it would be a source of great benefit to that city. Railroad men differ as to this, and cannot see how it will pay operating expenses when cut loose from the Wabash. The Logansport Pharos says: "The tidings were most welcome to our readers. The Eel River road has occupied the attention of the public for a long time, and every citizen is anxious that the Wabash be compelled to let go the property, that the city may realize some benefit from it. The present action was a suit brought by Prosecutor Kistler for the State petitioning the court to set aside the lease under which the Wabash operates the Eel River division, claiming that such operation was not legal, and for the appointment of a receiver for the Eel River company. The hearing was set for yesterday, and the Logansport attorneys went to Rochester prepared for a hard legal battle. The counsel for the corporation waived a jury trial and stood upon their answers to the complaint. The complaint charged that the Eel River company had no agents, di-rector or officer in the State of Indiana upon whom court service could be made, that it existed solely for the purpose of collecting rent from the Wabash, and had virtually abandoned that portion of its property between Chill and Logansport. The court was petitioned to set aside the lease to the Wabash railroad, annul the charter and appoint a receiver to wind up the affairs of the company. The judge decided for the plaintiff and the terms of the judgment, together with the appointment of a receiver, will be announced on May 18. The defendants will appeal to the Supreme Court, and a considerable perhaps three or four years, may before the matter is finally settled."

Western Rates.

were in session at Chicago yesterday, conproposition recently excursions home - seekers' points in the West and Southwest at one fare for the round trip. No conclusion was reached. The Western lines are in high feather over the action of the trunk lines in New York in accepting the reduced rates made by them on emigrant traffic to the Pacific coast. The Southern Pacific again to-day notified the Western lines that it could, under no circumstances, accept the rates and that it had so notified the Interstate-commerce Commission, but not-withstand all this the Western lines will continue to hold the rates in effect. They have come to the conclusion that they can no longer rely on the Union Pacific in keeping up the rates, and propose to proceed about their own business and ignore that line as far as they possibly can. Personal, Local and General Notes.

Albert S. White, general freight agent of the Big Four, is in Chicago. J. M. Shields has been appointed agent of the Blg Four at Weisburg, vice H. F.

Timmeran, who retires on May 1. A meeting was held in Chicago yesterday to further advance the re-establishing of the Chicago and Ohio River Traffic Association. J. C. Pond, general passenger agent of the Wisconsin Central, is visiting railroad centers in Central Traffic Association terri-

C. K. Lord, vice president of the Baltimore & Ohio lines, is resting a few days at Toledo, improving the time by visiting his aged father.

B. O. Graham, a well-known Panhandle conductor, will be buried at Burnetsville, Ind., to-day. He died at the home of his parents on Tuesday. In March there were handled for industries located on the line of the Belt road switches 3,007 cars, against 4,212 in March,

1893; decrease this year, 1,205 cars. Thomas McMillin, the detective, who died yesterday, was well known in railway circles, having been in the employ of the Terre Haute & Indianapolis road for some

The Columbus & Hocking Valley, the Wheeling & Lake Erie, and, in fact, all the Ohio coal roads, are taking off trains to reduce expenses owing to the miners

The Bass works, at Fort Wayne, which formerly did a good deal of work in the rebuilding and repairing of locomotives for the smaller roads, will resume this work on a limited scale.

The Western lines have given notice to all connecting lines interested that on and after May 10 they will not participate in the reduction of terminal or arbitrary rates proposed by the Eastern lines.

Spotters have been on the Atchison, Topéka & Santa Fe, and as a result a number of conductors on the main line and branches have been dismissed. Report has It that there is to be a general overhauling of conductors on that system.

The chairman of the Western Passenger Association has given the Wabash and other roads interested authority to make the same rate from the Missouri river to Eugene and Albany, Ore., which the Chicago & Alton offers-\$65.50 for the round trip. A meeting of the stockholders of the St

Louis, Alton & Terre Haute has been called for June 26, in St. Louis, to take action authorizing a mortgage to secure the payment debt of the company amounting \$2,500,000 and for other purposes, and the sue thereunder of \$2,500,000 of five-percent. thirty-year bonds. C. B. Ryan, Western general passenger

agent of the Chesapeake & Ohio, was in the city yesterday for a few hours. He states that no move the passenger department has made has shown more gratifying results than the putting on of a line of sleeping cars between St. Louis and Washington, via Indianapolis.

In March there arrived and departed at the Union Station 3,486 trains, against 3,599 in March, 1893. The trains in March, 1893, averaged seven and one-half cars; this year but six cars. In March, last year, the world's fair travel increased the number of cars per train, and local trains hauled more additional coaches than this year. A special train left Chicago Monday, at 10 a. m., over the Santa Fe, and reached Albuquerque at 9:38 a. m. Tuesday. The average speed the entire distance was fortyfive miles an hour. In western Kansas and eastern Colorado the train made spurts of fifty-eight miles an hour. It is said to bethe fastest run ever made over this road. Chief Engineer Kittredge, of the Big Four, says he is well informed as to the physical condition of a majority of the roads in this country, and he does not believe that there are many stretches of track of 262 miles, the length of the St. Louis division of the Big Four, which is as uniformly good, smoother or more evenly ballasted

Receiver Felton, of the Queen & Crescent, states that indications are that there will be no trouble with the trainmen over the reduction in wages which goes into effect next Tuesday. Grand Chief Arthur, of the Brotherhood of Locomotive Engineers, is reported to be in Cincinnati, and to have held a secret conference with the grievange committee of the engineers to ascertain their feelings about the matter.

Judge Jenkins has appointed Alfred L. Carey, of Milwaukee, master to investigate the Rocky Fork, Manitoba and Chicago Northern Pacific transaction in order to determine whether receiver Oakes was guilty of mismanagement, as is charged by certain stockholders. Judge Jenkins fixed May 8 as the day on which he will hear arguments on the demurrer to the complaint in the Chicago & Northern Pacific foreclosure suit.

Dr. W. L. Breyfogle, formerly president of the Louisville, New Albany & Chicago, s in financial trouble. The New Albany Banking Company on Wednesday sent him legal notice that unless he promptly met the notes he has given, amounting to \$146,-000, the banking company will at once institute suit and foreclose the mortgage given to secure the notes. It is stated that his Bedford Belt road and stone quarry venture have crippled him financially.

Officials of the Rock Island, Burlington and Northwestern deny that they have formed a blind pool to share the damages accruing from the march of Kelly's commonweal army. They say they have nover thought of such a thing, and that there would be no sense in such a movement on their part, as the county in which the damage occurs is and will be held responsible for whatever loss the roads may suffer through any neglect of the authorities to preserve the peace.

Now that the Pennsylvania has made the run with a special train as a speed test from New York to Chicago in eighteen hours, the New York Central and Lake Shore have under consideration patting on a regular train to cover the distance in seventeen hours. The roads are about tic as equally matched as to ability to attain high sure.

speed with trains. The Pennsylvania, while having sixty miles the shortest line, has divisions which have steep grades to overcome, which the Vanderbilt lines do not

Purdue University, at Lafayette, is securing reputation through its being an educator in the construction and operating of locomotives; so much so that the Baldwin locomotive works has signified the intention of presenting the university with the frame and running gear of one of their best make of engines. This, with the full-fledged locomotive Schenectady, rebuilt, will greatly enhance this department of the university as an educator in mechanical appliances, so far as locomotives are con-

A gentleman in position to know the feelings of the trainmen on the Big Four system states that at no time in the last five years have matters been moving along as smoothly, and all reports of the men holding meetings to discuss the wage question or any other grievances are without the least foundation. He said that, of course, the men would like to have their old scale of wages restored, but have too much good sense to agitate the question now, as they can for themselves see the struggle the roads of the country are having to keep their heads above water until business improves and earnings foot up more favora-

Suit has been filed in the federal court at Louisville by the Louisville & Nashville Railroad Company against the Illinois Central Railroad Company to have the contract with the Illinois Central in the purchase of the Huntington lines enforced. The trouble is mainly over the joint lease of the 121 miles of the Chesapeake, Ohio & Southwestern between Fulton, Ky., and Memphis. It is possible the Illinois Central may operate the Chesapeake, Ohlo & Southwestern as a competing line. The State's attorneys are confident they can prevent the Louisville & Nashville completing the purchase, even if it adjusts the differences with the Illinois Central.

In financial circles a belief prevails that a deal is on by which the Louisville & Nashville will secure control of the Evansville & Terre Haute, much after the same manner that the Cincinnati, Hamilton & Dayton secured control of the Queen & Crescent. The opinion prevails that the idea of many years past that the dividing point of north-and-south roads should be the Ohio river is becoming obliterated. The report that the Louisville & Nashville was to secure control of the Evansville & Terre Haute would seem more probable had the Chicago & Eastern Illinois been included; without that line the Evansville & Terre Haute would be less valuable as an acquisi-tion to the L. & N. people.

HOG ALL THE PROFITS

The Western Passenger Association lines | Complaint of the Jobbers Against Sugar Manufacturers.

> Wholesale Grocers Meet Here to Arrange for Another Fight on the Sugar Trust.

A meeting of wholesale grocers was held yesterday afternoon and last night in Room 33. When Block, for the consideration of means of relief from certain burdens imposed by manufacturers. The number of grocers present from central and southern Indiana was thirty-seven. Among those present were Messrs. Alex. Stuart, John W. Flach, Charles H. Gogreve, Robert J. Smith and John A. Kreis, of Cincinnati. The call for the meeting sprung from the Wholesale Grocers' Association. B. H. Mc-

Cune, of McCune, Malott & Co., presided. The complaints grew out of the practice, as the jobbers allege, of the manufacturers hogging the margin of profits between the raw material and the consumer. The former say that the practice has developed, one article at a time, leaving neither the jobber nor the retailer a fair compensation, until the burden has become too heavy to be borne much longer. They realize that, while all recognize the evil of the practice, it is of no use for a single firm to protest, and only by united action can a fair division of profits be forced from the manufacturers. Nothing is allowed to be made public as yet as to the articles on which there is to be action, and members say that as yet no agreement has been reached. The trouble lies in the difficulty of settling upon what articles the onslaught on the manufacturers shall be made. The meeting will continue over to-day. It is acknowledged that the recent effort to fight the Sugar Trust was a failure, and the prospects for success in this, while promising in the end, are not as brilliant just now as the jobbers would wish. This is the first meeting held, but so onerous is the burden which brings about the conference that no effort is to be spared until something is accomplished.

PERSONAL AND SOCIETY.

Mrs. Meeks, of Muncie, is visiting relatives in the city for a few days. Mrs. E. R. Parry entertained friends at dinner Wednesday in honor of guests from

Miss Myla Coburn will entertain the seniors of the Girls' Classical School at luncheon to-day. Mrs. Rawlings, of Logansport, is visiting her sister, Mrs. Dr. Lucas, here. She will

out of town.

make an extended visit. Mr. and Mrs. David Wallace will go to their farm at Cataract Monday, where they will spend six months. Mrs. Graves and daughter, of Milwaukee,

are visiting the former's sister, Mrs. O. S. Runnels, on North Meridian street. The members of the National Mary Washington Association will give a colonial ball this evening at the Propylaeum. Mrs. Gilmore Jordan left yesterday for Washington, D. C., to spend two months with her daughter residing in that city. Miss Rosamonde Moore, of Mitchell, who has been the guest of Mrs. T. H. Parry, on

Mr. Charles Yohn, of New York, is visiting his mother, Mrs. J. C. Yohn. Mrs. Jones, of Washington, who has been Mrs. Yohn's guest, has returned home At the Portfolio Club last evening Mr. J. P. Dunn read a paper on "Early Indiana Pictures." The committee in charge of the

North Illinois street, returned home yes-

entertainment was Miss Comingor and Mr. J. M. Bowles. Mrs. F. W. Chislett entertained a number of friends informally yesterday afternoon at her home at Crown Hill in honor of Mrs. I. C. Elston, of Crawfordsville. The guests were asked to remove their bonnets and spend the afternoon "in the country." Mr. and Mrs. Herman Atwater, of Washington, are spending the week with relatives on North Meridian street. Mr. and Mrs. Atwater will leave Wednesday for New York, from which port they will sail for Russia. They will spend four months in

that country. Mr. and Mrs. Frank Lee, No. 185 North Delaware street, will this evening give a reception to the congregation's friends of the Central Christian Church, Mr. and Mrs. Lee will be assisted by Dr. and Mrs. Lucas and the ladies of the fifth section

of the church. THE DRAMATIC CLUB. The last entertainment of the Dramatic Club for this season was given last evening at the Propylaeum. Mrs. Alexander Jameson, Mr. and Mrs. Clinton L. Hare, Miss Shipp and Miss Ritzinger composed the committee having the entertainment in charge. Dr. Jameson, who was also one of the committee, resigned to take part in one of the plays. The company felicitated itself upon having almost entirely new talent in the casts of both plays. The first was "Keep Your Eye on Her," and the participants were Miss Nancy Baker, Miss Florence Baker, Mr. Charles Moores, Mr. Howard Wiggins and Dr. Alexander Jameson, and in the second, "The Little Rebel," the leading characters were taken by Miss Daisy Roberts and Miss Caroline Farquhar. Miss Jane Graydon, Mr. Leaming Willard and Mr. Robert McOuat were the others. The plays were admirably presented. The stage settings were appropriate to the times and places and the accessories were tastefully arranged. Following the plays the orchestra, which had given all of the overtures and incidental music, played for the dance. The season has been the best from a social and dramatic point of view

that the club has ever had.

A Michigan-Avenue Fire. The story and a half frame house at No. 440 Michigan avenue, occupied by Jasper Eller, was destroyed by fire yesterday afternoon, about 2:30 o'clock, with a loss of The fire originated from a defective

The Spring Medicine.

"All run down" from the weakening effects of warm weather, you need a good tonic and blood purifier like Hood's Sarsaparilla. Do not put off taking it. Numerous little ailments, if neglected, will soon break up the system. Take Hood's Sarsaparilla now to expel disease and give you strength and appetite.

Hood's Pills are the best family cathartic and liver medicine. Harmless, reliable,

RUNS WERE ABUNDANT

Grand Rapids Secured a Large Majority of Them.

Indianapolis Badly Defeated in a Long-.Drawn-Out Game-Sioux City and Toledo Win-League Scores.

The Indianapolis players crowded a surprising amount of bad playing into yesterday's game, which they lost by a onesided score. Gayle was in the box, and had no speed and poor control of the ball. He seemed unable to watch first base with any success, something a left-handed pitcher should be able to do effectively at all times, and the balls came floating up to the plate big as balloons for Grand Rapids. His support, with few exceptions, was miserable, McTammany looming up with eight catches, one of them, a hard drive from Carroll's bat in the seventh inning, being of the brilliant order. Most all of the boys had an off day, Deveney piling up five errors at short and seeming unable to hold on to anything. They batted well enough to win any ordinary game, earning seven of their eight runs by the cleanest sort of hitting. Their only unearned run was McTammany's in the opening inning, and three bases of that were earned, Mack getting to first on balls and being batted around. Leidy, Deveney, Graham and Plock all touched pitcher Parker up in lively style, but it didn't appear to be the Hoosiers' day to win.

With Grand Rapids runs were as plenty

as candidates at Wednesday's convention, and the Michigan men took no chances, but stacked them up as high as possible to avoid any danger of Indianapolis catching up. Besides taking advantage of the round dozen saffron-hued errors made by the home team and hitting the ball very hard, the visitors put up an almost flawless game in the field, a dropped fly by Pinckney in the second inning being their only mistake, and that cost nothing. good drop, which he worked to some effect, notably in the last three innings. Wheelock's work at short was especially fine, and Wright had a great catch in the fourth inning of a long drive by Leidy which looked good for three bases. Wright, Carroll and Caruthers found Gayle especially to their liking and hammered away at the slow balls he sent up in a way that sent a chill along the spinal column of ev-ery "rooter" for the Hoosiers. The first time Caruthers came to bat he struck out, and Gayle thought he was easy, but a home run, a triple and two singles convinced the pitcher that he was mistaken in his early estimate. In only one inning-the eighth-did the home team succeed in preventing Grand Rapids from scoring, and the feat was accorded a round of applause by the crowd. For three or four innings the interest did not languish, but after that it was evident Gayle had nothing with which to fool the men from the north, and that Indianapolis was determined to play bad ball. The crowd, however, stuck it out with a stoicism worthy a better cause, ready, at the slightest provo-cation, to cheer the boys on in any attempt to close the ever-widening gap in the

Twelve hundred people were made uncomfortable within three minutes after umpire Mitchell had called play because Gayle sent Wheelock to first on balls and floated one up to big "Rasty" Wright, the manager and captain, which he drove away out to right center for a home run. George went out from Graham to Plock, but Carroll hit to left center for three bases and scored on Leidy's fumble of the throw-in. Pinckney reached first on Graham's overthrow of his grounder and Caruthers and Watkins struck out. When McTammany was given a base on balls in the last half and Leidy hit a beauty to center for three bases the crowd felt somewhat relieved, and expressed itself noisily to that effect. These demonstrations were continued when Gray hit safe and Graham bunted and beat the ball to first. A sacrifice by Mills and Deveney's single enabled Indianapolis to chalk up four runs and take a lead. Westlake fouled out and Gayle forced Deveney at second by hitting to Carroll. The Michiganders tied the score in the second on Wheelock's life, a steal and Wright's single, and took a lead in the third on singles by Carroll and Caruthers, two stolen bases, Mills's fumble of Pinckney's grounder and Westlake's throw which nobody seemed to be on hand to take at second. All this resulted in two runs, and three more were added in the fourth on singles by Wright and George, a base on balls, two bad errors by Deveney and Pinckney's long fly.

Gayle's single, Plock's three-bagger to the left-field fence and McTammany's sacrifice earned two in the Indianapolis half of the fourth, while singles by Graham and Mills and a double by Deveney added another in the fifth. The eighth and last run of the home team was scored in the sixth on Mc-Tammany's life, Leidy's single, which advanced Mac to third, and Gray's sacrifice. Mac had forced Plock out at second after the latter's pretty single to left. A base on balls, a single, which Leidy allowed to get by him, and a fumble by Deveney let in two more Grand Rapids runs in the fifth. Successive singles by Carroll, Caruthers and Pinckney, two errors by Daveney, a wide throw by Westlake and a safe hit by Wheelock added four runs in the sixth, while, with two out in the seventh, Caruthers hit to the center-field fence for a home run. Not content with this, Wheelock and Wright waited for bases on balls in the ninth and George scored the former on his single. Then Caruthers came to the front again, this time with a three-bagger to right, sending George around. This ended the run getting. Leidy and Mills hit safe in the last half, but could not get

around. Score: Indianapaolis. A.B. R. H. O. A. E. McTammany, m..... 3 Mills, 2..... 4 Deveney, s..... 4 Westlake, c.... Cayle, p..... Plock, 1...... 3 Totals35 8 13 27 12 Grand Rapids. A.B. R. H. O. A. Wheelock, s..... 4 Wright, m..... George, 1..... Carroll, 2..... Caruthers, 1.....

Pinckney, 3..... Watkins, r..... pies, c..... Parker, p..... 4 Score by innings:

Totals45 18 15 27 13 Indianapolis4 0 0 2 1 1 0 0 0-Grand Rapids......3 1 2 3 2 4 1 0 2-18 Earned Runs-Indianapolis, 7; Grand Rap-Two-base Hit-Deveney. Three-base Hits-Leidy, Plock, Carroll,

Caruthers. Home Runs-Wright, Caruthers. Sacrifice Hits-McTammany, Gray (2), Stolen Bases-Wheelock (4), Carroll (2), Caruthers, Pinckney. Double Plays-Spies and Caruthers. First Base on Errors-Indianapolis, 1; Grand Rapids, 5. Bases-Indianapolis, 6; Grand Left Rapids, Struck Out-Gayle, Caruthers, Watkins, Parker. Bases on Balls-Off Gayle, 7; off Par-Passed Ball-Westlake, L

To-Day's Game. Mauck and Snyder will be the battery

for Indianapolis in the closing game with

Grand Rapids this afternoon. The boys

will make a big effort to capture the series,

and it is safe to say that the fight will be

Umpire-Mitchell.

an exciting one. Detroit comes to-morrow for three games, after which the home team goes on a trip. Toledo, 20; Detroit, 2. TOLEDO, April 26.-Detroit narrowly escaped a shut-out this afternoon. Rettger was a puzzler, and hits were scattered. Harper was batted at will. The Toledo team was strengthened by the presence

of Niland at short. Attendance, 1,500. Batterles-Rettger and McFarland; Harper and Kreig. Earned runs-Toledo, 5 Detroit, 1. Two-base hits-Miller (2), Ni land, Hatfield, Connor, Three-base hits-McFarland (2), Miller, Harper, Stolen bases—Henry, Niland, Rettger, First base on balls—Off Harper, 7; off Rettger, 1. Hit by pitched ball—Foreman, First base on errors—Toledo, 2; Detroit, 3. Left on bases—Toledo, 7; Detroit, 7. Struck out—By

Rettger, 3; by Harper, 1. Passed ball—McFarland. Time—1:50. Umpire—Sheridan.

Sioux City, 12; Minneapolis, 10. SIOUX CITY, Ia., April 26 .- To-day's game was a slugging match, with longer and better bunched hits by Sloux City.

R. H. E. Sioux City...1 0 0 3 0 2 0 2 4—12 17 3 Minneapolis .1 1 0 0 0 1 5 1 1—10 17 2 Earned runs—Sioux City, 7; Minneapolis, 5. Two-base hits—Hulin, Hines (2), Mc-Cauley, Hogriever, Marr, Twineham, Stewart, Newell. Three-base hit—Twineham, Home runs—Stewart (2), Newell (2). Stolen bases—Hogriever (2), Newell, Burrell. Struck out—By Cunningham, 2; by Duryea, 5. Time, 2 hours. Umpire—Baker.

Prevented by Rain. KANSAS CITY, April 26 .- To-day's Western League game was prevented by rain.

NATIONAL LEAGUE.

Cleveland Defeats Cincinnati Again, This Time by a Score of 12 to 4. CINCINNATI, April 26.-The Cleveland club won its third successive game from Cincinnati, scoring all but two of its runs on errors and the wild pitching of Cross. Battery errors by Clarkson and Zimmer, together with bases on balls, gave the Reds their only runs. Attendance, 2,800.

R. H. E. Batteries-Cross, Dwyer and Murphy; Clarkson and Zimmer. Earned runs-Cleveland, 2. Two-base hits-Virtue, McCarthy, Home run-Clarkson. Double plays-Mc-Phee and Motz; Childs and Tebeau; Motz and Smith. First base on balls-Off Cross, 5; off Clarkson, 5. Hit by pitched ball— By Cross, 1. Struck out—By Cross, 1; by Dwyer, 2; by Clarkson, 1. Passed balls— Murphy, Zimmer. Wild pitches—Clarkson, 2. Time—1:35. Umpire—Emslie.

St. Louis, 10; Chicago, 4.

ST. LOUIS, April 26.-The Chicagos went down before the Browns to-day, making it three straight. Neither team put up any extraordinary game, but the fielding of the Browns was effective at critical junctures, especially in the case of Ely, who, at short, got the ball every time he went after it and threw with remarkable accuracy when put outs were most needed. Attendance, 3,140. Score:

R. H. E. St. Louis....2 0 0 0 4 1 0 0 3-10 14 Chicago2 0 0 0 1 1 0 0 0-4 10 Parker's support saved him very largely, though he pitched fair ball. Under the adverse conditions of bad support he would be quite likely to go to pieces. He has a Batteries—Gleason and Buckley; Abbey and Schriver. Earned runs—St. Louis, 5; Chicago, 1. Two-base hits—Shugart, Peitz, Lange. Three-base hit—Peitz. Home run—Ely. Stolen -Frank, Quinn. Double plays-Quinn and Peitz; Irwin and Decker. bases-Frank. First base on balls—Off Gleason, 2; off Abbey, 2. Struck out—By Gleason 1; by Abbey, 1. Time—1:45. Umpire—McQuaid.

Boston, 13; Baltimore, 7. BALTIMORE, Md., April 26 .- The changing of pitchers by Baltimore, some wild throwing and a streak of batting gave Boston a lead in the sixth inning which the local team could not overcome. Attendance,

R. H. E. Baltimore1 0 1 0 5 0 0 0 0 7 11 Boston0 0 4 0 0 8 1 0 -13 11 Batteries-Inks, Baker, Brown and Robinson: Staley, Stivetts and Merritt. Earned runs-Baltimore, 4; Boston, 4. Two-base hits-McCarthy, Inks, Kelly. Three-base hits-Lowe (2), Keeler. Stolen base-Mc-Graw. Double plays-Lowe, Long and Tucker (2); Long and Tucker. First base on balls -Off Inks, 1; off Staley, 4; off Stivetts, 1; off Baker, 2. Hit by pitched ball-By Inks, 2. Struck out-By Inks, 2; by Staley, 1; by Brown, 1. Wild pitch-Brown. Time-2:15. Umpire-Hurst.

New York, 7; Washington, 5. WASHINGTON, April 26:-With the bases full in the seventh, Davis's triple cleared them, and gave New York a win-

Washington ...4 0 0 0 1 0 0 0 0-5 9 5 New York.....1 0 1 1 0 0 4 0 *-7 9 3 Batteries-Stockdale and McGuire; Meakin and Farrell. Earned runs-Washington, 3; New York, 3. Two-base hits-Joyce, Ward of Washington, Burke. Three-base hits-Abbey, Davis. Stolen bases-Cartwright, Sullivan, Tiernan, Van Haltren. play-Tebeau and Sullivan. First base on balls-Off Stockdale, 2; off Meakin, Hit by pitched ball-Davis (3.) Struck out—By Stockdale, 2; by Meakin, 2. Wild pitch—Meakin. Time—2:20. Umpire—Lynch.

Pittsburg, 3; Louisville, 1. LOUISVILLE, April 26.-Killen was very effective against the home team to-day, and umpire Swartwood aided the Pittsburg team very much by his rank decisions. Bierbauer played a good game at second. Attendance, 1,600. Score: R. H. E.

Louisville0 0 0 0 0 0 1 0 0-1 Pittsburg0 0 0 2 0 0 0 1 *-3 Batteries-Kilroy and Grim; Killen and Mack. Earned runs-Louisville, 1. Two-base hit — Mack. Stolen base — Twitchell. Double play - Glasscock, Bierbauer and Beckley. First base on balls—Off Kilroy, 1; off Killen, 4. Struck out—By Kilroy, 3. Time—1:52. Umpire—Swartwood.

Philadelphia, 13; Brooklyn, 3. BROOKLYN, April 26 .- Inability to bat and Sharrott's poor pitching lost the game for Brooklyn. Attendance, 3,700. Score:

Philadelphia .3 1 0 3 1 1 2 0 2-13 17 Batteries-Sharrot and La Chance; Taylor, Weyling, Carsey and Clements. Earned runs—Brooklyn, 1; Philadelphia, 7. Two-base hits—Griffin, Sharrott. Three-base hits—Hallman, Thompson, Weyling, Allen. Stolen base—Delehanty. First base on balls— Off Carsey, 1; off Sharrott, 6. Hit by pitched -Hallman, Clements, Wild pitch-Sharrott. Time-Two hours. Umpire-Stage.

The Union Soldiers' League.

At the last meeting of the Union Soldiers' League of Marion county by-laws were adopted and vice presidents of the wards and townships were furnished with blanks for enrolling all the veterans. A committee will be appointed in every precinct in the county to enroll every Union veteran. The league selected two captains, with full power to appoint as many comrades as they may require to look after the old soldiers on pension day to see they are not led off by persons into saloons to cash their checks and persuade them to squander their money. The Board of Public Safety will grant them police powers, and have also kindly consented to furnish a detail of officers to act in conjunction with them. The league members will be furnished with badges, so they will be recognized as officers for that occasion. A resolution has also been sent to the Commissioner of Pensions and the chairman of the committee on pensions of the Senate and House of Representatives to have the old soldiers residing outside of the city of Indianapolis to be paid by checks sent through the mails, instead of being paid over the counter of the pension office. There will be a rousing big meeting at the hall, Delaware and Court streets, on Tuesday evening, May 8. at 8 o'clock.

Building Permits.

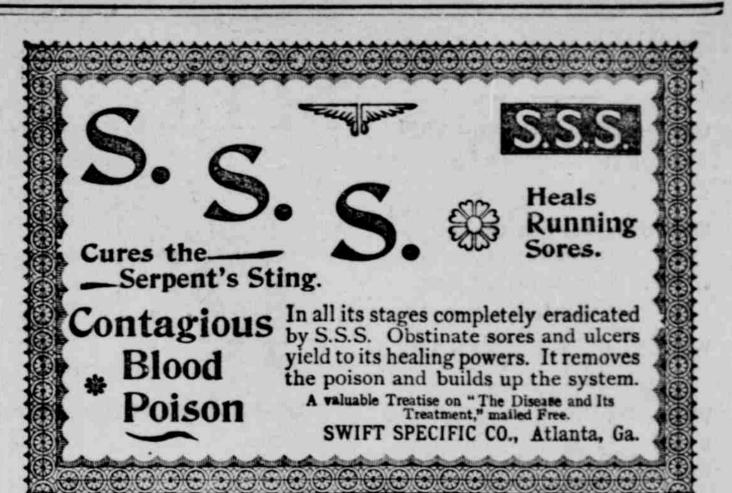
The following building permits were issued yesterday: Thomas C. Day, frame house, 256 Morton Elis Algein, frame house, English avenue, \$500. Steffens, frame house, Sullivan street, A. Lindly, remodel brick house, 204 North Illinois street, \$3,000.
A. Lindly, double frame, Vermont and Illinois streets, \$5,000. M. L. Johnson, frame house, 817 North Meridian street, \$2,011. Hanyetle Stinker, repairs, 713 Chestnut street, \$200. S. D. Noel, repairs, 98 Fletcher avenue,

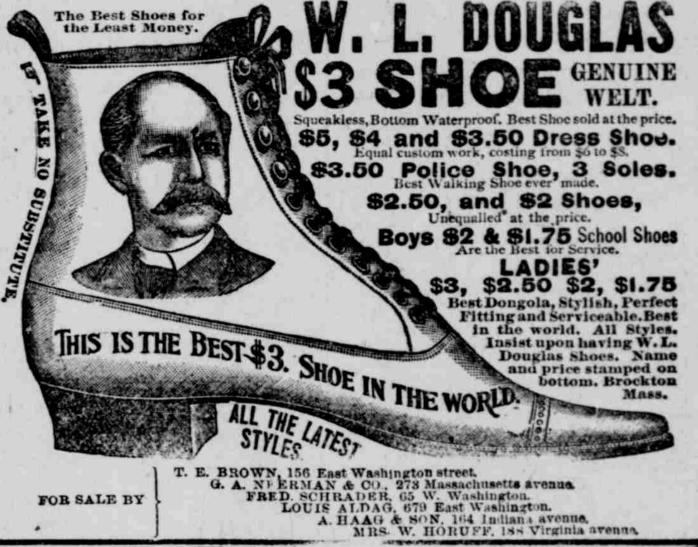
A Well-Known Detective Dend. Thomas McMillen died yesterday afternoon at his home, No. 74 East Vermont street, after a brief sickness. He was forty-five years old. In 1883 deceased was a member of the Indianapolis detective department under Superintendent Lang. For ten years past he has deoted his time to private detective work, and lately had been asociated with the National Detective Agency of this city. He possessed a remarkable talent for remembering faces, and

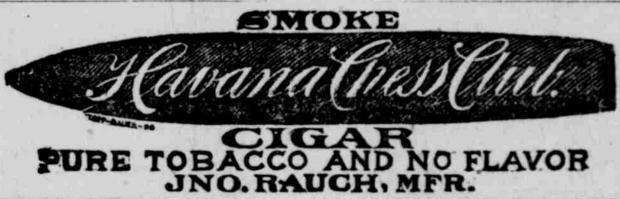
A Surgical Operation

at one time had the reputation of being one of the shrewdest of Western detectives.

For the Cure of Piles is always painful, often dangerous and useless, and invariably expensive; on the other hand there is a new certain cure, perfectly painless, gives instant relief and permanent cure and costs but a trifle. It is the Pyramid Pile Cure. It is a more certain cure than a surgical operation, without any of the intense pain, expense and danger of an operation. Any druggist will get it for you.







THE CHARTER UPHELD

Appellate Court Passes on an Important Case.

A Decision for Phillips in His Street Assessment Lien Suit Against Spades-Other Courts.

Judge Gavin, of the Appellate Court, yesterday handed down an opinion affirming the decision of the Marion Superior Court in the case of M. H. Spades et al. vs. P. E. Phillips. The appellee brought suit to enforce the lien of a street assessment under the provisions of the Indianapolis city charter. Judge Gavin held that it is no more necessary in such an action to allege the regular creation and qualification of its members than to require allegations concerning the regularity of the selection and organization of a city council, in suits wherein their acts or ordinances are in-

"It is true," the opinion states, "Section 73 provides that notice of resolution shall be the same as that required for condemnation proceedings, but we are unable to find any statute making applicable to the street improvement proceedings the notice of assessment specified for condemnation proceedings regarded as in any manner insuf-

As to the ground of objection argued that the complaint was bad for want of an averment that no improvement conforming to the general plan had already been made, the court held that whatever benefit appellant might derive in this action could be available only by way of defense, and that it was not incumbent on the appellee to negative this contingency in his complaint. None of the objections presented were held to be well taken.

Circuit and Superior Juries. The following juries for the Circuit and Superior Courts were drawn by Clerk Wil-

Room 1-I. N. Reddick, Lawrence; Isaac Brenneman, Perry; James H. Madden, city; Overton Garrison, Decatur; James L. White, Warren; Lewis Lang, Wayne; Edwin A. West, city; Joseph Kelly, Wayne; John Jenkins, city; Elias B. Swift, Washington; Albert Jones, city; Henry Nulting,

Room 3—Samuel Corey, Lawrence; S. A. Harland, Center; John W. Jefferson, city; Joseph A. Alexander, city; Charles E. Davis, Center, northeast; Nelson Klingensmith, Pike; Simon F. Dunlopp, Center; George W. Armstrong, Decatur; Joseph Hendricks, Perry; Francis Jennings, city; Charles F. Hall, city; Peter Gallagber, Circuit Court-Henry Litzenberg, jr., Warren; John S. Foudry. Pike; John Pier-

son, Wayne; Joseph Rosner, Wayne; John

F. Curran, Center; Josiah Gibson, Franklin;

John Trost, sr., Wayne; Fred Prange, Law-

rence; William M. Wiley, Pike; Washington B. Lloyd, Center; Peter F. Wilson, Washington; Jacob Gepper, Wayne. Police Court Sentences. Judge Stubbs yesterday fined John Miller and Lizzie Deal \$25 and costs each and sent them to the workhouse for thirty days on

a charge of adultery. H. B. Walker was fined \$25 and costs and sent to the workhouse for thirty days on a charge of public indecency. He claims it is a case of mistaken identity, and appealed to the Criminal Court. John Hoops was fined \$5 and costs for allowing slop to drop from his wagon into the street. He appealed to the Criminal

Result of Track Elevation.

James Monroe, a North Indianapolis saloon keeper, is plaintiff in a suit for damages against the Citizens' Street-railroad Company, in Room 2, Superior Court. In 1892 the Citizens' company constructed its track along the Michigan road in front of the premises of Monroe. By reason of the elevation of the grade Monroe's cellar was flooded, and he claims that the over-flow caused him great annoyance and injury. He seeks to recover damages in the

Against the Executor. In an opinion written by Judge Lotz, of the Appellate Court, yesterday, and concurred in by the full court, the judgment of the Marion Circuit Court in the case of Jonathan B. Roll, Executor, vs. Eliza J.

Mason et al. was affirmed. THE COURT RECORD.

Supreme Court.

17194. Ades et al. vs. Levi et al. Law-rence C. C. Affirmed. Dalley, J.-Mortgagees may enjoin the threatened sale of mortgagee's goods by the assignee of the mortgageors to the injury of their rights. 16775. Uhl vs. Moorhaus, Treasurer, et al. White C. C. Affirmed. Hackney, J.-Where acts are independent of a deed parol evidence is admissible to prove those facts without producing or showing loss of deed. 2. Ownership of land may be proven by parol when there is no objection. 17019. Rissing et al. vs. City of Fort Wayne. Allen S. C. Affirmed, Howard, C. .- l. The government of a city acting in the matter of the opening and widening of a street is not estopped by the act of an officer in a matter outside of the scope of his authority. 2. The notice to property

owners by the city treasurer required by Sec. 364, R. S., 1894, is simply to collect the assessment of benefits, and if the treasurer

ance of the report of the city commissioners he exceeds his duty and authority, and the city is not bound by the date stated in the notice. The appeal must be taken with-in thirty days of the actual acceptance of

16987. Carey, Executor, vs. Springer et al. Rush C. C. Affirmed. Dailey, J.-When a testator devised an estate for life to his widow and then provided "at the death of my wife I bequeath all my property, share and share alike, to my children. If any of my children be dead at the time of such distribution or disposition, leaving children, such children are to take the share of their deceased father or mother, as the case may be;" held, in such case the estate to the children was a conditional fee, the estate of one dying before the widow was defeated and left no interest which the executor

could seil to pay debts. 16661. Sharke, Administratrix, vs. Com-mercial Travelers' Association. Marion S. C. Affirmed. Hackney, J.-Where a polshall not extend to any bodily injury happening directly or indirectly in conse-quence of any disease, where the injury resulting in death was caused by a fall caused by fatty degeneration of heart and brain, there can be no recovery.

Appellate Court Opinions. 1083. Benjamin vs. McElwaine-Richards Company et al. Montgomery C. C. Reversed. Reinhard, J.-It is proper to prove the admissions of a fraudulent vendor against himself, and the fact that the trial court did not limit the admissability to the extent of binding or affecting the vendor only cannot affect the question of the competency of the testimony nor will such failure be erroneous unless the aggreved party requests and the court denies an instruction to that effect In case of a conspiracy between the vendor and vendee to defraud creditors, admissions of either are admissible against both, though after the transfer but before the accom-plishment of the conspiracy. 2. Where the plaintiff had introduced evidence that the vendor in such case remained in possession of the property it was competent in rebuttal to show that he was in possession as an employe of the vendee.

1030. Roll, Executor, vs. Nason et al.
Marion C. C. Affirmed. Lotz, J.—When a

matter in litigation affects the executor both personally and officially the estate should not bear all of the counsel. 1019. Smith vs. Tewalt et al. Knox C. C. Affirmed, Ross, J.—If an alleged mistake is concerning an immaterial fact, is not mutual, was falsely represented by one of the parties, or was the result of the neg-ligence of the parties, it is not ordinarily such as against which equity will afford

1314. Shades et al. vs. Phillips. Marion S. C. Affirmed. Gavin, J.—It is unnecessary in a complaint to enforce a street-improve ment lien to allege the proper or qualification of the Board of Public Works of the city of Indianapolis, nor was it necessary to aver that no improvement conforming to the general plan had already been made. 1821. Jeffries vs. Meyers et al. Delawars C. C. Affirmed in part and reversed in part. Davis, C. J.-A school corporation is not

a contractor subject to a personal liability to a subcontractor, workman or material man provided for in Section 7262, R. S., 1894. A schoolhouse is not subject to a lien. 1109. P., C., C. & St. L. Railway Com-pany vs. Racer et al. Blackford C. C. Affirmed. Gavin, J.-An agreement between a shipper and a carrier with reference to the latter furnishing cars at a specified time is not merged in a bill of lading issued after the violation of such agree-ment when the stock was actualy loaded and shipped.

1300. City of Fort Wayne vs. George W. Duryee. Allen S. C. Affirmed. Lotz, J.—The presence of a ditch three or four feet long and two or three feet wide in the space between the sidewalk and curb of the public streets of a city for a period of four days is sufficient to impute knowledge of it to the city. 2. A defective verdict may be amended any time before the jury is discharged. 1173. Davis & Rankin, etc., Company vs.

Hillsboro, etc., Company. Fountain C. C. Motion to dismiss overruled per curiam. Persons named as defendants in a come plaint are not parties to the action until summons is issued for them, Superior Court.

Room 1-James M. Winters, Judge. Simon Perry vs. Elijah B. Martindale el al.; mechanic's lien. Dismissed. Dudley Simms vs. Trustees of Antiock Baptist Church; mechanic's lien. Dismissed. John W. Courtney vs. Chas. B. Willetts et al.; mechanic's lien. On trial by court.

Room 2-J. W. Harper, Judge. Tappen Shoe Manufacturing Company vs. Jacob Markune et al.; suit on account. Tried by court. Finding and judgments for plaintiff for \$187.40. James Monroe vs. Citizens' Street-railway Company et al.; damages. On trial by jury. Room 3-Pliny W. Bartholomew. Judge. Adeline B. Houck vs. City of Indianapolist damages. On trial by jury.

Circuit Court.

Edgar A. Brown, Judge. James E. Tate et al. vs. Indianapolis National Bank et al. Dismissed at the plaint. J. L. Evans vs. Sample Loftin's Estate; claim, \$6,505.51. On trial by jury.

New Suits Filed. Provident Savings, Loan and Investment Association vs. James Mullin et al.; to foreclose mortgage. Superior Court, Room 1. Provident Savings, Loan and Investment Association vs. Gilford D. Harvey; to foreclose mortgage. Superior Court, Room 3. William Harryman vs. Nellie C. Wolford et al.; mechanic's lien. Superior Court, Marcellus H. Dawson vs. The Indianapolis Water Company; suit to quiet title. Circuit

Luke G. Butterfield vs. The Indianapolis Water Company; suit to quiet title. Circuit Provident Savings and Loan Association vs. Columbus H. Fetts; foreclosure of mort-

gage. Superior Court, Room & Wilson Morrow vs. The Indianapolis Brewing Company; sult on lease. Superior Court, Room ! Charles W. Rice vs. Lillie A. Rice; diputs in the notice the time of the acceptvorce. Superior Court. Room 3.